

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
v.	)	Civil No. 05-10515-REK
	)	
\$103,342.22 IN U.S. CURRENCY AND	)	
\$4,468.18 IN U.S. CURRENCY,	)	
Defendants.	)	
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MOHAMMED ABDUL RASHEED QUARAISHI	)	
Claimant.	)	

**STIPULATION OF DISMISSAL**

The United States of America, by its attorney, and Mohammed Abdul Rasheed Quaraishi ("Quaraishi"), by his attorney, stipulate to the dismissal of the instant civil forfeiture action, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. As set forth below, the defendant property is being forfeited administratively pursuant to a plea agreement in a related criminal case, U.S. v. Quraishi, 04-10345-NMG.

On November 18, 2004, a federal grand jury sitting in the District of Massachusetts returned a five-count Indictment charging Quaraishi and others with Encouraging and Inducing Aliens to Come to, Enter and Reside in the United States in violation of 8 U.S.C. § 1324(a)(1)(A)(iv)(Count One).<sup>1</sup> The Indictment also included criminal forfeiture allegations.

On March 18, 2005, the United States filed a Verified Complaint for Forfeiture in Rem against \$103,342.22 in U.S.

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<sup>1</sup> The remaining counts of the Indictment did not name Quaraishi.

currency, representing the contents of bank account number 8620008235, held in the name of MAQ Technologies, Inc./Mohammed A.R. Quaraishi, at Charter One Bank, NA and \$4,468.18 in U.S. currency, representing the contents of bank account number 8620398000, held in the name of Mohammed A.R. Quaraishi at Charter One Bank, (the "Defendant Property"). The United States alleged that the Defendant Property was subject to forfeiture on the grounds that it was involved in and/or was used to facilitate financial transactions involving the proceeds of unlawful activity, namely encouraging or inducing an alien to come to, enter or reside in the United States, in violation of 8 U.S.C. § 1324(a)(1)(A)(iv), and fraud and misuse of visas, permits, and other documents, in violation of 18 U.S.C. § 1546. These transactions were designed, in whole or in part, to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of unlawful activities, in violation of 18 U.S.C. § 1956(a)(1)(B)(i), and/or were conducted with the intent to promote the carrying on of unlawful activities, in violation of 18 U.S.C. § 1956(a)(1)(A)(i). The Government alleged that Defendant Property was subject to seizure and forfeiture to the United States of America, pursuant to 18 U.S.C. § 981(a)(1)(A).

On May 13, 2005, Quaraishi filed a Verified Claim asserting that he had an ownership interest in the Defendant Property. On

May 15, 2005, Quaraishi filed a Motion to Dismiss or, Alternatively, Stay the Forfeiture Action. The United States opposed Quaraishi's motion to dismiss, but had no objection to his motion to stay this case pending the outcome of the related criminal case. Accordingly, the Court stayed this civil action on July 13, 2005.

On January 20, 2006, Quaraishi pled guilty to Count One of the Indictment pursuant to a written plea agreement with the United States. In the plea agreement, Quaraishi agreed to forfeit the Defendant Property to the United States, and agreed that such forfeiture could be carried out civilly, criminally, or administratively in the Government's discretion. Thereafter, Quaraishi completed a Withdrawal of Claim, a copy of which he filed with this Court on February 27, 2006. Accordingly, the Defendant Property will be forfeited administratively.

WHEREFORE, the United States and claimant Mohammed Abdul Rasheed Quaraishi respectfully request that this Court dismiss this civil forfeiture without prejudice, with each party bearing its own costs and fees.

Respectfully submitted,

CLAIMANT  
MOHAMMED ABDUL RASHEED  
QUARAISHI

MICHAEL J. SULLIVAN  
UNITED STATES ATTORNEY

BY:

BY:

/s/John J. Commisso  
John J. Commisso  
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Dated: March 31, 2006

/s/Kristina E. Barclay  
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Dated: March 31, 2006